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UNCLAS ZAGREB 001675

SIPDIS

STATE FOR EB/IPC: WILSONSF

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SUBJECT: IMPLEMENTATION OF WIPO INTERNET TREATIES IN CROATIA

1. ON JULY 22 WE DISCUSSED REFTTEL POINTS WITH HRVOJE JUNASEVIC, DIRECTOR GENERAL OF THE CROATIA STATE INTELLECTUAL PROPERTY OFFICE, AND ON JULY 23 WITH DIJANA SIMIC, ASSISTANT MINISTER OF SCIENCE AND TECHNOLOGY, WHOSE MINISTRY HAS THE LEAD ON COPYRIGHT LEGISLATION.

2. JUNASEVIC CONFIRMED THAT THE CROATIAN PARLIAMENT RATIFIED THE "INTERNET TREATIES" IN APRIL 2000, AND THAT CROATIA BECAME PARTY TO THE WIPO PERFORMANCES AND PHONOGRAMS TREATY ON MAY 20, 2002, AND TO THE WIPO COPYRIGHT TREATY ON MARCH 6, 2002. BOTH, ENGLISH AND CROATIAN TEXTS OF THE AGREEMENTS HAVE BEEN PUBLISHED IN THE OFFICIAL NATIONAL GAZETTE. JUNASEVIC ADMITTED THAT CROATIAN LEGISLATION IS NOT FULLY IN COMPLIANCE WITH THESE AGREEMENTS. THE FINAL DRAFT COPYRIGHT LAW, WHICH SHOULD BRING CROATIAN DOMESTIC LEGISLATION INTO CONSISTENCY WITH THE "INTERNET TREATIES," IS BEING TRANSLATED INTO ENGLISH. IN ORDER TO ENSURE FULL COMPLIANCE WITH BOTH EU DIRECTIVES AND WIPO AGREEMENTS, THE LEGISLATION HAS BEEN IN THE DRAFTING PROCESS SINCE FALL OF 2001. CONSULTANTS FROM THE MAX PLANCK INSTITUTE IN MUNICH WILL REVIEW IT IN AUGUST. JUNASEVIC EXPECT THAT NEW COPYRIGHT LAW WILL BE IN PARLIAMENTARY PROCEDURE BY SEPTEMBER.

3. NOTE: THE DRAFT COPYRIGHT LAW IS ONE OF THE SEVEN LAWS ON INTELLECTUAL PROPERTY THAT CROATIA NEEDS TO PASS AS PART OF THE HARMONIZATION PROCESS FOR ITS ACCESSION TO EU. THESE ARE: THE COPYRIGHT LAW, PATENT LAW, TRADEMARK LAW, GEOGRAPHICAL INDICATIONS LAW, INDUSTRIAL DESIGN LAW AND LAYOUT DESIGN OF INTEGRATED CIRCUITS. ACCORDING TO JUNASEVIC, THE GOVERNMENT PLANS TO SUBMIT THESE LAWS AS A TOP PRIORITY, AS IT HAS WITH ALL LEGISLATION RELATING TO CROATIA'S EU CANDIDACY.

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